

MINING TEST FEES

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Dmitrich

House Sponsor: Brad King

LONG TITLE

General Description:

This bill designates fees collected by the Labor Commission as dedicated credits.

Highlighted Provisions:

This bill:

- designates fees collected by the Labor Commission for mining certification tests as dedicated credits; and
- directs the Labor Commission to use the fees to administer the certification test.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2007.

Utah Code Sections Affected:

AMENDS:

40-2-15, as last amended by Chapter 5, Laws of Utah 2006

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **40-2-15** is amended to read:

40-2-15. Certification requirements -- Fees.

(1) The Labor Commission shall collect a fee for:

- (a) certification tests; or
- (b) sections of the test that must be retaken.

(2) (a) The Labor Commission shall establish fees by following the procedures and

requirements of Section 63-38-3.2.

(b) Notwithstanding Subsection 63-38-3.2(2)(e), the Labor Commission shall retain the fees as dedicated credits and may only use the fees to administer the certification test.

(3) An applicant who fails any section of the certification test may retake that section of the test.

(4) (a) An applicant who wishes to obtain a mine foreman certificate shall have at least four years varied underground coal mining experience, of which:

(i) two years' experience may be credited to a mining engineering graduate of an approved four-year college; or

(ii) one year's experience may be credited to a graduate of a two-year course in mining technology.

(b) (i) An applicant who wishes to obtain a surface foreman certificate shall have at least three years of varied surface experience.

(ii) The Labor Commission may grant a surface foreman certificate applicant credit for surface experience in any other industry that has substantially equivalent surface facilities.

(c) An applicant who wishes to obtain a fire boss certificate shall have at least two years of underground coal mining experience, of which:

(i) one year's experience may be credited to a mining engineering graduate of an approved four-year college; or

(ii) six months' experience may be credited to a graduate of a two-year course in mining technology.

(d) An applicant who wishes to obtain an underground mine electrician certificate shall have at least one year of varied electrical experience as specified in 30 C.F.R. Sec. 75.153.

(e) An applicant who wishes to obtain a surface mine electrician certificate shall have at least one year of varied surface electrical experience as specified in 30 C.F.R. Sec. 77.103.

(5) A certificate issued under ~~[Sections]~~ Section 40-2-14 and ~~[40-2-15]~~ this section shall expire if the certificate holder ceases to work in the mining industry or a mine related industry for more than five consecutive years.

- 58 Section 2. **Effective date.**
59 This bill takes effect on July 1, 2007.